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RELEASE DATE:
14-Jun-201021 November 1991
OCA 4837-91

MEMORANDUM FOR: Deputy Director of Central Intelligence

FROM:

Deputy Director for Senate Affairs
Office of Congressional Affairs

SUBJECT: POW/MIA Closed Briefing 25 November 1991

1. You will be making a brief opening statement to the Committee. This will go a long way toward convincing the Committee of the Intelligence Community's commitment to support its work. We have included reference to sources and methods in your remarks because this will be one of the key issues as the Committee presses for full declassification of all materials related to POW/MIA matters.

2. Our understanding is that the Committee is interested primarily in an informal exchange of information with only limited structure. We do not anticipate that you will be asked any particular questions. Essentially the Committee wants a brief update on what the various agencies are doing in this area and then turn to questions. DIA's prepared talking points reflect that understanding as does the short statement prepared for ADDO Price. Both are in your briefing book. We anticipate having NSA's statement shortly.

3. There are likely to be several areas the Senators will want to explore. One is the whole issue of sources and methods and why sources of considerable vintage and not of central value must be protected. We have taken the position that while we are redacting all reporting to be shown to the Committee staff we will, upon request, show unredacted information to members or cleared staff on a case by case basis. This is an even more liberal policy than is our practice with the Oversight Committees. CIA and DIA have worked out agreed guidelines in this area, a copy of which is in the background material. These guidelines have been shown to Committee staff but not accepted by them.

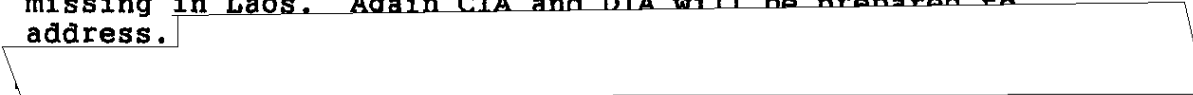
4. A second issue concerns Laos. The Senators are likely to focus on the large number of unresolved cases in Laos. DIA and CIA will be prepared to respond in detail. There is also keen interest in the status of civilian intelligence operatives

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SUBJECT: POW/MIA Closed Briefing 20 November 1991

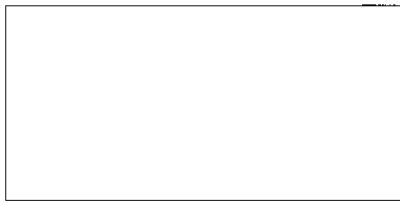
missing in Laos. Again CIA and DIA will be prepared to address.



5. There is also the issue of POW/MIA family members having access to classified materials. DOD is seeking to develop a policy in this area in response to Congressional pressure. DIA and CIA have some concerns but will be supportive so long as sources and methods are protected.

6. Overall we anticipate most of this meeting being an information gathering session with the Senators asking questions that they could not get answers to in the open session. Hopefully in this process two points will be made. One that there are strong reasons for keeping some of the materials relating to POW/MIA in classified form. Secondly, there is a need for the Committee to address classified issues in a closed forum. On the latter point, both Senator's Kerry and Smith pressed DIA to discuss code breaking in Laos in open session. NSA will address this issue in the closed session and other speakers will be supportive.

7. There is general agreement that there must be a positive and forthcoming attitude toward responding to the Committee's interests. Yet all agencies want to avoid carte blanche access to all information that includes data revealing sources and the methods of acquisition. Even more, they want to uphold the overall principal of such protections because of the larger equities involved.

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DDCI Opening Remarks

ADDO Statement

NSA Statement

DIA Statement

Qs & As

Background Information

--19 Sep 91 Letter from ADCI to Richard B. Cheney,
The Secretary of Defense

--04 Oct 91 Categories for Review/Redaction with
Release of Classified POW/MIA Documents to
Appropriately SCI Cleared Staff of Temporary
Senate Select Committee on POW/MIA Affairs

--18 Nov 91 Memorandum for the Record re POW/MIA
Committee Hearing on 15 November

--12 Nov 85 Memorandum for National Foreign Intelligence
Board re Interagency Committee on Vietnam MIA's/POW's

--1986 Memorandum of Understanding between the Defense
Intelligence Agency (DIA) and the Central Intelligence
Agency (CIA)

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DDCI Opening Remarks

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MR. CHAIRMAN, MEMBERS OF THE COMMITTEE, I AM PLEASED TO APPEAR BEFORE YOU THIS AFTERNOON TO UNDERSCORE THE IMPORTANCE THAT I AND THE WHOLE INTELLIGENCE COMMUNITY ATTACH TO YOUR EFFORTS TO WORK TOWARD A FINAL RESOLUTION OF LONGSTANDING CONCERNS ABOUT POWS AND MIAS FROM THE INDOCHINA WAR. I REGRET THAT MY SCHEDULE ALLOWS ONLY A BRIEF APPEARANCE TODAY. I HAVE, HOWEVER, BROUGHT WITH ME SENIOR MEMBERS FROM THE CONCERNED AGENCIES--AND THEIR RESPECTIVE EXPERTS--WHO ARE PREPARED TO BRIEF YOU ON THE ACTIVITIES OF THEIR AGENCIES AND RESPOND TO YOUR QUESTIONS. FROM THE DEFENSE INTELLIGENCE AGENCY--THE LEAD AGENCY FOR THE COMMUNITY ON THIS ISSUE--IS ITS NEW DIRECTOR, GENERAL CLAPPER. FROM THE NATIONAL SECURITY AGENCY IS ITS CHIEF OF STAFF, DONALD PARSONS, AND FROM CIA IS ASSOCIATE DEPUTY DIRECTOR FOR OPERATIONS TED PRICE.

LET ME SAY EMPHATICALLY AT THE OUTSET THAT THE WORK OF YOUR NEW COMMITTEE HAS MY FULL SUPPORT AND THAT OF THE DCI. THE SUBJECT OF POW/MIAS IS A DIFFICULT AND HIGHLY EMOTIONAL ONE. I AM AWARE OF THE INTENSE INTEREST IN IT, AND OF THE IMPORTANT ROLE THE INTELLIGENCE COMMUNITY HAS PLAYED AND CONTINUES TO PLAY IN DEVELOPING AND DISSEMINATING INFORMATION ON IT. I ALSO RECOGNIZE THAT THERE ARE STRONG VIEWS ABOUT

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INTELLIGENCE REPORTING AND ITS AVAILABILITY TO THOSE DEEPLY CONCERNED ABOUT THE FATE OF INDIVIDUALS STILL MISSING IN INDOCHINA. I HOPE THAT THROUGH THIS PROCESS THOSE CONCERNS CAN BE PUT TO REST.

THE DCI HAS THE STATUTORY RESPONSIBILITY FOR PROTECTING INTELLIGENCE SOURCES AND METHODS. I WANT TO ASSURE YOU, HOWEVER, THAT THE INTERAGENCY TEAM THAT HAS BEEN ASSEMBLED WILL BE AS RESPONSIVE AS POSSIBLE IN SETTING ITS GUIDELINES AND IN DEALING WITH THE COMMITTEE'S INTERESTS. ONLY WHEN IT IS ABSOLUTELY NECESSARY FOR THE PROTECTION OF THOSE SOURCES AND METHODS WILL THERE BE ANY LIMITATIONS ON THE MATERIALS TO BE REVIEWED, AND ANY SUBSTANTIVE INFORMATION WILL BE PROVIDED TO YOU.

THROUGHOUT THIS PROCESS I RECOGNIZE THAT THERE MAY WELL BE AREAS OF DIFFICULTY OR DISAGREEMENT, BUT I ASSURE YOU THAT THE INTELLIGENCE COMMUNITY IS COMMITTED TO WORKING WITH YOU TO REACH ACCEPTABLE ARRANGEMENTS FOR THE FULL SHARING OF INFORMATION. I ALSO CAN ASSURE YOU THAT THE COMMUNITY WILL CONTINUE TO ATTACH THE HIGHEST IMPORTANCE TO COLLECTING AND DISSEMINATING INFORMATION ON THE POW/MIA ISSUE AND WILL DEVOTE SUBSTANTIAL RESOURCES WORLDWIDE TO THAT EFFORT. WE WANT TO BE AS HELPFUL AS POSSIBLE.

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LET ME NOW TURN TO THE AGENCY REPRESENTATIVES, EACH OF
WHOM HAS PREPARED REMARKS ADDRESSING THE ACTIVITIES OF
THEIR INDIVIDUAL AGENCIES.

THANK YOU.

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Mr. Chairman, members of Committee, I welcome this opportunity to discuss CIA's role in resolving the status of prisoners-of-war (POW) and missing-in-action (MIA) from the war in Indochina.

- This issue has remained an important collection requirement since the beginning of U. S. involvement in the war in Indochina.
- CIA is committed to continue its intelligence collection program and provide whatever resources are necessary to resolve the status of Indochina War POW's and MIA's.
- As the DCI stated earlier, we are determined to cooperate with the lead Agency, DIA, in every way possible consistent with our statutory requirement to protect sources and methods, in making available to your Committee and to other appropriate recipients, materials bearing on this issue.

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-- Let me emphasize that in almost every instance, we believe we will be able to satisfy your legitimate informational needs on this matter.

To underscore our commitment, I want to assure you that the first question our officers in the field ask [redacted]

[redacted] whom they believe might have access to information on this subject is what do they know about American POW's or MIA's.

-- We ask about the fate of MIA's, details on crash sites, grave locations, live sightings,

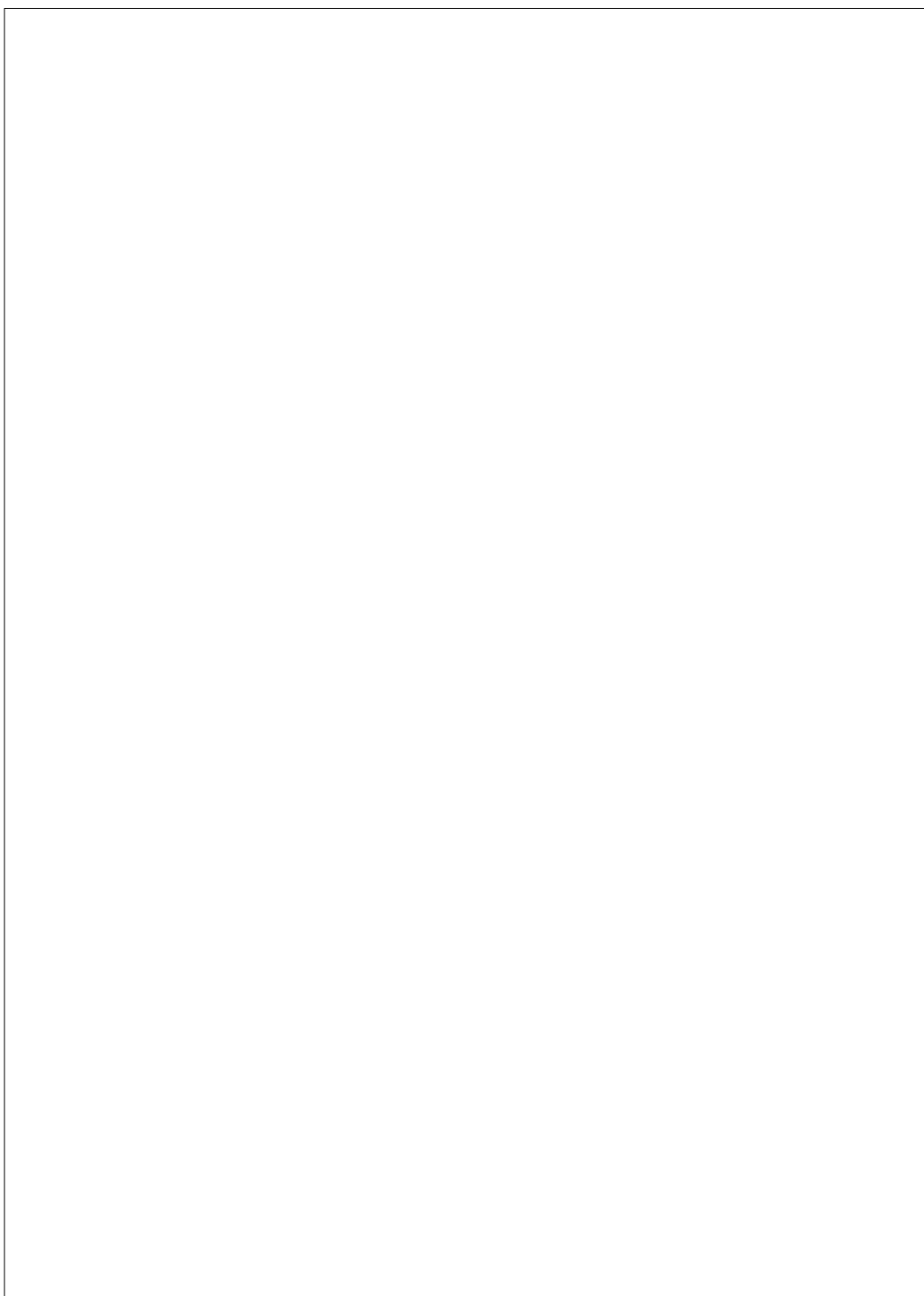
[redacted]

-- This is an important requirement for our stations worldwide; last year, [redacted] in East Asia, Europe, and the U. S. forwarded reports on this issue.

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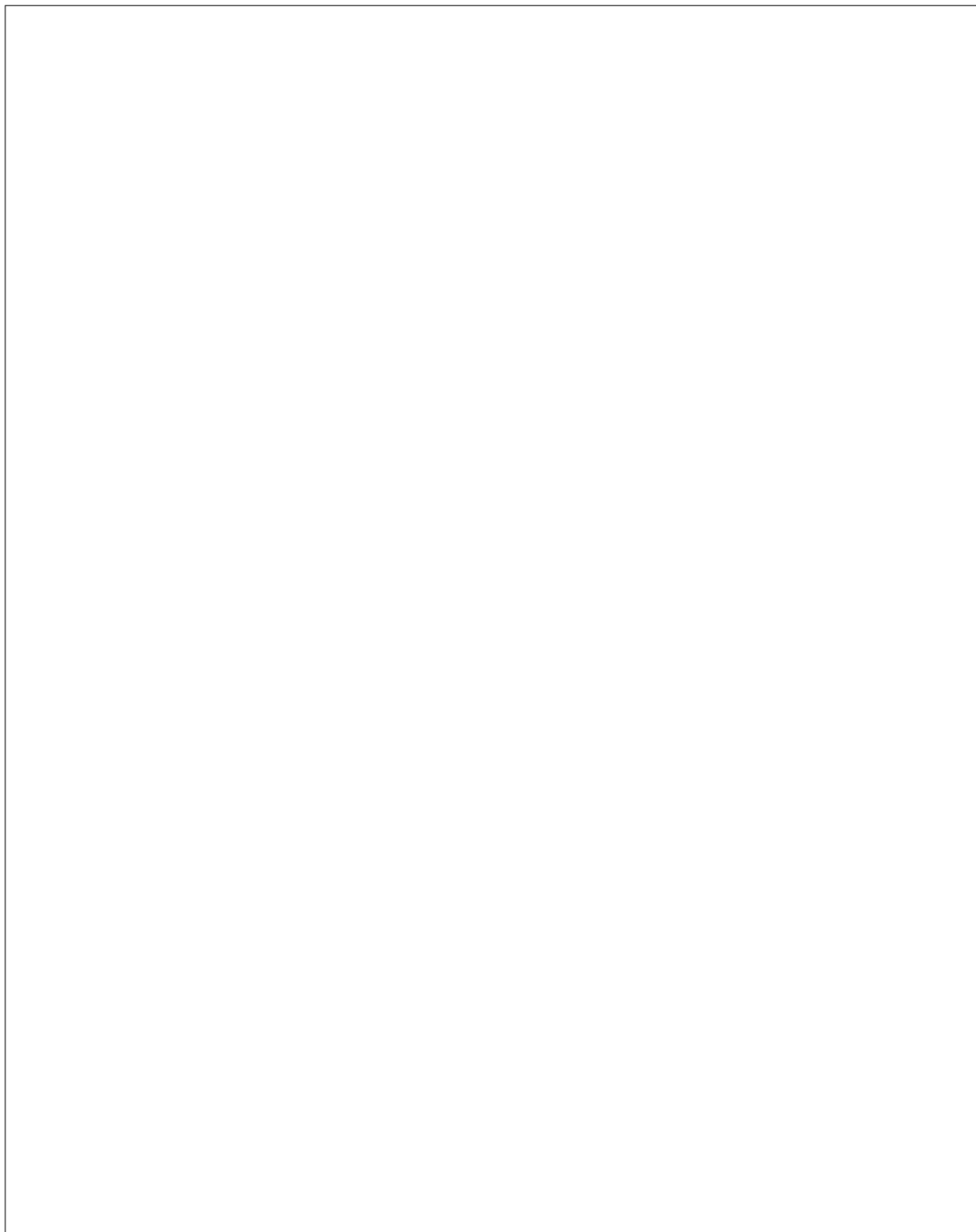
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Once collected, we disseminate intelligence expeditiously to authorized customers for action.

- Between 1973 and the present, we have disseminated approximately on subjects such as the downing of U. S. aircraft, possible grave sites, sightings of U. S. servicemen, alleged discovery of remains and Hanoi's position on U. S. MIA's.
 - Some 6.5 linear feet of material covering reporting between 1964 and 1979 has been declassified in response to FOIA requests.
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Mr. Chairman, we in CIA are committed to resolving the
POW-MIA matter, and our resources are turned to this purpose.

This concludes my statement.

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DIA Statement

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NSA Statement

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TALKING POINTS FOR GEN CLAPPER

DIA'S PRIMARY MISSION IS LIVE PRISONER ISSUE -- COLLECTING (STONY BEACH), ANALYZING AND REPORTING ON ANY AMERICANS STILL HELD IN CAPTIVITY.

SECONDARY MISSIONS INVOLVE SUPPORT TO DC AREA POLICY OFFICIALS AND ANALYTIC SUPPORT TO CINCPAC/JCRC FULLEST POSSIBLE ACCOUNTING EFFORTS.

BOTH MISSIONS INVOLVE HIGHLY SPECIALIZED ANALYSIS THAT USUALLY MUST RELY ON SKETCHY DETAIL. THIS ANALYSIS IS AN ARTFORM REQUIRING CONSIDERABLE OUT.

DIA POW-MIA OFFICE CONTINUOUSLY IN EXISTENCE SINCE VIETNAM WAR. REVIEW POW-MIA AND STONY BEACH RESOURCE NUMBERS ON REVERSE.

UNTIL GEN VESSEY'S APPOINTMENT AS SPECIAL ENVOY TO VN ON POW-MIA, LITTLE ACTUAL PROGRESS WAS MADE IN RESOLVING CASES -- VIETNAM, LAOS AND CAMBODIA WERE ESSENTIALLY DENIED AREAS.

TIMELY RESOLUTION OF PHOTO CASES AND OTHER HIGH VISIBILITY DISCREPANCY CASES HAS UNDERScored THE VALUE OF INFORMATION ACQUIRED BY OVERT FIELD INVESTIGATION.

EFFORTS IN-COUNTRY ARE A MAJOR NEW THRUST OF DIA'S EFFORTS (TALK THRU STONY BEACH/JCRC TEAMS IN LAOS/CAMBODIA/VIETNAM OVER THE PAST SUMMER).

WHAT IS NOW CRITICAL IS GETTING VIETNAM, LAOS AND CAMBODIAN GOV'T APPROVAL OF A LIVE SIGHTING INVESTIGATION REGIME SIMILAR TO ARMS LIMITATION AGREEMENTS HAMMERED OUT WITH THE SOVIETS -- NAMELY, NO NOTICE VISITATIONS TO SITES OF FIRST HAND SIGHTING REPORTS AND CERTAIN OTHER CAMPS AND PRISONS THAT COULD POTENTIALLY BE INVOLVED IN HOLDING AMERICAN PRISONERS.

DIA IS NOW WORKING CLOSELY WITH THE JOINT STAFF AND CINCPAC TO INTEGRATE OUR ANALYTIC AND COLLECTION EFFORTS WITH CINCPAC'S PROPOSED POW-MIA JOINT TASK FORCE. (INTEL SUPPORT FROM DIA; SHARED TASKING OF STONY BEACH).

DIA'S BOTTOM LINE:

- o ISSUE RECEIVING APPROPRIATE PRIORITY WITHIN DIA
 - OFFICE REPORTS TO COMMAND ELEMENT
 - NECESSARY BILLETS TAKEN OUT OF HIDE BEFORE ACTIVE CONG INTEREST
 - AGGRESSIVE, MOTIVATED AND KNOWLEDGEABLE PERSONNEL ASSIGNED
- o OTHER INTEL AGENCIES PROVIDING STRONG SUPPORT
- o ALL "INTS" TASKED; COLLECTION PRIORITY SUFFICIENT
- o DOD POLICY OFFICIALS NO LONGER RELYING ON DIA TO "CARRY THE WEIGHT"
- o DIA IS READY, WILLING AND ABLE TO FULLY SUPPORT THIS COMMITTEE AND THE WHAT HAS BECOME KNOWN AS THE GOVERNMENTS "FULL COURT PRESS" OVER THE NEXT 2 OR 3 YEARS.

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QUESTION: Please explain why certain information in reports on POW-MIA's still remains protected.

ANSWER: The documents were initially classified to protect national security interests which includes the protection of the source of the information, the place and manner in which it was acquired, any foreign intelligence service involvement, references to other operational activity and administrative details such as cryptonyms, field report numbers, source and field comments.

Source information continues to be classified despite the passage of time because of the continuing ramifications of protecting sources. Other sources would be wary of cooperating with us if we released information which pinpoints its origin with no regard for the effect this information might have on heirs, survivors or colleagues.

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QUESTION: What information has been declassified and released to the public via the FOIA?

ANSWER: Ann Mills Griffiths, Executive Director of the National League of Families of American Prisoners and Missing in Southeast Asia, filed an FOIA case in May 1979 requesting all documents and intelligence reports, not previously released, which originated or were held by CIA elements operating in Vietnam, Laos, Thailand, and Cambodia from May 1964-present (May 79) which relate to American POWs.

Six and one-half linear feet have been released to the public and DIA in response to this request. The information is compiled chronologically and it is contained in some twenty-two volumes representing periodic releases over a ten year period ending in 1989. A complete set is on file in Information Services Division, DDA in Ames Building.

These reports are in sanitized form, having details about sources and methods deleted from them. They may be passed, as is, in a body to a centrally controlled DIA reading room for access by the public. Privacy concerns of multiple American names in many reports have not been addressed and we defer to the DIA on this issue.

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QUESTION: Is there any intelligence reporting to indicate the possible presence of POW-MIA's from the Indochina War being transferred to the Soviet Union or China?

ANSWER: We have neither substantive intelligence or fragmentary reporting which indicates that American POW's were transferred to the Soviet Union or China during the war. We are in the the process of querying the KGB on this issue. Because of the previous hostile environment in Moscow, collection on POW-MIA's [REDACTED] Considering the changes in recent months, we will reemphasize this requirement to [REDACTED] Soviet Union and Eastern Europe.

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QUESTION: Are you familiar with the case of the mortician who claimed there were over 400 sets of remains of Americans from the Indochina War being warehoused in Hanoi?

ANSWER: [redacted] a Vietnamese refugee residing in a refugee camp [redacted] was interviewed by [redacted]

[redacted] in November 1979. During this interview, [redacted] asserted that he personally inspected the remains of over 400 U.S. military personnel which were in secret storage in Hanoi. The [redacted] requested [redacted] in an attempt to verify [redacted] claim. The results [redacted] did not support [redacted] claims on either the 400 sets of remains or that he personally saw three alive American soldiers in Hanoi. A review of [redacted]

[redacted] DIA [redacted] polygraphed [redacted] in the United States with results that [redacted] was telling the truth with regard to the remains and the live Americans. At the time, DIA's conclusion was that [redacted]

[redacted] were incorrect as to the dates used in the test questions. We have not seen a copy of the DIA polygraph report to make an analysis.

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QUESTION: What can you tell us about the possible existence of POW-MIA's in Laos?

ANSWER: Over the years there have been continuing stories about the possible existence of POW's still being held in Laos. I spoke earlier of [REDACTED] as well as the attempts to locate POW-MIA's via imagery. There were reports of alleged POW working in gold mines or held being held in caves. A report regarding a caucasian spotted bathing in a stream in north Laos was investigated and to the best of our knowledge was a Czech geologist working in the area. Our capabilities in Laos are somewhat limited but we do attempt to followup and verify substantive reporting on POW-MIA's. We have no reporting to support the claim that there may still be POW's or MIA's being held in Laos. In fact, in spite of all our efforts over a number of years, we have received no credible evidence that there are in fact American prisoners being held in Vietnam, Laos, or Cambodia.

With regard to pilots or crew members of Air America or Continental Air Service, there were nine individuals unaccounted as of mid-1973. All of these cases were turned over to the Department of Labor for resolution as the individuals were contract employees of the U.S. government.

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QUESTION: Why was source information given away to the Vietnamese and Cambodian authorities in July 91 while at the same time we continue to protect refugee sources?

BACKGROUND: In July 1991 Deputy Assistant Secretary of State, Ken Quinn, passed a list of names of individuals to Cambodian and Vietnamese authorities requesting access to talk with these individuals on POW-MIA matters. He did this while visiting Hanoi and Phnom Penh on POW-MIA matters.

ANSWER: The individuals in question were not sources of intelligence but were individuals thought by State or the families of POW-MIA's to have possible information. This was not a clandestine intelligence collection activity. We do not know what, if any followup there has been on this issue as we were not involved in this overt collection effort.

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QUESTION: Is it possible to provide the families of POW/MIA's access to a broader range of classified information?

ANSWER: We are willing to work in concert with DIA on this issue as they maintain the files on the individual POW or MIA's. Our concern is that sources and methods continue to be protected and we are hopeful that we can come up with a mutually beneficial solution. The files currently under review for this committee could possibly be made available to the families if properly controlled in a secure facility to which the families could be given access.

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QUESTION: Are you familiar with the events surrounding the fall of Lima Site 85 in March 1968?

ANSWER: Lima Site 85 [redacted] located 25 kilometers from the North Vietnamese/Laotian border atop Phou Pha Thi mountain. The site was used to direct and control attacking jet fighters and bombers to their targets and to provide them with precise bomb release points, under radar control. [redacted]

[redacted] On 10 March 1968, the site began to receive heavy incoming mortar and artillery fire, and in the early morning hours that followed, 20 heavily armed infiltrators launched a surprise attack on the

[redacted] Of the [redacted] Americans at the site, only five technicians [redacted] were extracted. [redacted]

[redacted] five of the six technicians were wounded, one of them being hit by fire while in the helicopter and he died in route. The [redacted] remaining Americans were presumed dead.

An enemy buildup had been underway for several months in the area prior to the attack and intelligence reporting indicated that the safety of the site was questionable after 10 March.

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Background Information

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ER 91-3055

Central Intelligence Agency



Washington, D.C. 20305

19 SEP 1991

The Honorable Richard B. Cheney
The Secretary of Defense
Washington, D.C. 20301-1000

Dear Mr. Secretary:

The Agency has been contacted by Assistant Secretary of Defense for Command, Control, Communications and Intelligence Duane P. Andrews concerning Senate Resolution 82 which creates a temporary Select Committee on POW/MIA Affairs. It is my understanding that this Committee will request access to Defense Intelligence Agency (DIA) files, some of which contain CIA-generated classified information. Assistant Secretary Andrews has asked that the Agency work with the Department of Defense (DoD) to develop guidelines concerning Committee access to these files.

In response to Secretary Andrews' request for assistance, Agency officers are working with the newly-created POW/MIA Data Release Office to review DIA files. Once these officers have determined the scope and sensitivity of the CIA-originated information in the files, we will be able to develop appropriate guidelines for use with the Committee. In addition, I have designated a senior attorney in the Office of General Counsel to work with DoD attorneys to negotiate with the Select Committee concerning access to classified information in the files. I want to assure you that the Agency will cooperate fully with the Committee, and I am confident that guidelines can be developed that will ensure full compliance with the spirit of Senate Resolution 82 while at the same time meeting our statutory duty to protect intelligence sources and methods.

I have designated [redacted] Chief, Policy and Coordination Staff as the Agency's point of contact on this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Richard J. Kerr".

Richard J. Kerr
Acting Director of Central Intelligence

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4 OCT 91

CATEGORIES FOR REVIEW/REDACTION WITH RELEASE OF
CLASSIFIED POW/MIA DOCUMENTS TO APPROPRIATELY
SCI CLEARED STAFF OF TEMPORARY SENATE
SELECT COMMITTEE ON POW/MIA AFFAIRS.

REPORT ORIGINATOR

DoD HUMINT

NSA

REDACT

STONY BEACH team members' names

Detailed source data/biographic
reports/source numbers

Ongoing clandestine operational
data

Not applicable

RATIONALE

Compromise the safety and mission of
US collection personnel

Jeopardize safety of sources

Reveal extent and involvement of US
intelligence operations; cause
extreme embarrassment to the Thai or
other foreign governments

When SIGINT reporting related to [redacted]
[redacted] is received, it will
reviewed to ensure [redacted] would
not be jeopardized or collection
methods compromised. Content that
would reveal [redacted]
[redacted] or other intelligence
sources will be protected.

Historical SIGINT can be released at
the Secret SCI level

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STATE

U.S. Government
policies under
negotiationWould compromise ongoing US foreign
policy positions and interests

ASD/ISA

Not applicable

Classified cables can be released

OVERHEAD IMAGERY

Not applicable

Images can be released at the
SECRET/NOFORN/WMINTTEL level

DEBRIEFS

Not releasable

Executive Order 11652 dated 8 Mar 72;
ASD/ISA memo I-86/19832, dated 3 Jan
87; release of this information
would violate confidentiality
agreements with returned POWS.

CIA

Source/asset identifying data

Jeopardize safety of sources

Agency employee identification

Compromise the safety and mission
of US government personnelForeign liaison identifying
information; third agency
information with appropriate
referral information added; place
acquired (when clandestine
collection involved); field
report number; cryptonyms; current
operational activities.Reveal extent and nature of US
government clandestine operations

Methodology

Identifies sensitive operational
methods and capability~~SECRET~~

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Intelligence
Reports/Evaluation
of Reports

Employee Identification

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Could open unauthorized lines of communication or create pressures for unauthorized release of intelligence material. In addition, for analyst evaluation of reports, information received at a later date may have confirmed, changed or invalidated an earlier evaluation. The current agency position on the analysis over time is more relevant to understanding the case, and would be provided as required.

NOTES:

1. Although material has been redacted based on guidelines established above, all the documents retain their original classification.
2. Material extracted from the file will be noted on the file index (e.g., "source biographic sheet is not included").
3. Information that has been extracted or redacted from original file can be reviewed by committee members. Staff will be allowed to review the original files on a case-by-case basis.
4. All classified material requires handling and protection in accordance with Senate Resolution 400 as adopted by the Senate Select Committee on Intelligence.

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CIA CRITERIA

DELETE

- Source/Asset identifying data (an identifying number corresponding to the DIA file will be assigned for inquiry and accountability purposes)
- Foreign liaison identifying information
- Third Agency Information with appropriate referral information added
- Place acquired where clandestine collection involved
- Agency employee identification (requires DIA assistance since such information will likely not appear in the CIA report but in collateral documents)
- Cryptonyms
- Field Report Number
- Reference to current operational activities
- Methodology

RULES

- Staffer clearances will be granted on the same basis as those of SSCI staffers.
- Committee members may view original reports at DIA (where record file maintained) or at CIA. Staffer access to original reports will be on case by case basis based upon demonstrated compelling need. .
- Committee may not release Agency-associated classified information to the public without prior Agency declassification.
- Storage of classified material will be in accordance with procedures established for SSCI storage and as worked out with Senate Security Officer DiSilvestro.

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18 November 1991

MEMORANDUM FOR THE RECORD

SUBJECT: POW/MIA Committee Hearing on 15 November

1. I attended a portion of the above-mentioned open Hearing (list of members attached). This was an opportunity for the Administration in the persons of Bob Sheetz of DIA, Ken Quinn from State and Carl Ford from DOD/ISA to address some of the charges made by other witnesses before the Committee the previous week. Ford's Statement is attached.

2. During the questions period, several areas of inquiry developed which could bear on the closed briefing now scheduled for 1430 on 20 November in S407. Agency participants at that briefing should be prepared to deal with some if not all of these issues.

3. Although unrelated to the actual focus of the investigation, there was considerable interest in the possible presence of POW/MIAs in the Soviet Union given the recent press article on that possibility. The Senators asked specifically if there had been contact with the KGB to inquire about this. State noted the diplomatic efforts. The Agency rep could be asked about contact with the KGB.

4. Ken Quinn was asked repeatedly about a list of individuals in Indochina who allegedly had information about POW/MIAs which he had given to the Vietnamese and Cambodian authorities in July 1991. Senators Smith and Grassley in particular asked if, in effect, he was not passing source information. They went on to ask why the Administration would give away one type of source information while vigorously guarding the refugee reporting sources. Quinn explained the difference between people who are in fact intelligence sources and those we believe have information and with whom we wanted to be in contact. Smith and/or Grassley can be counted on to raise the same issue at the closed briefing.

5. Carl Ford raised the issue of providing POW/MIA family members access to a broader range of classified information, saying that he is wrestling with how to arrange such access.

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SUBJECT: POW/MIA Committee Hearing on 15 November

(In an earlier conversation Keith Hall told me that this is something that Defense is pushing and will eventually need an Agency input relative to the inclusion of CIA material in the DOD holdings.) The Agency rep should be prepared with some form of response if this issue comes up. Senator Robb was particularly interested in this aspect of the discussion.

6. Senator Kerry wanted information on those unaccounted for in the "secret war" in Laos. He wanted to know if they were in the overall 2,000 plus figure carried as POW/MIA. Ford said that it was only in the late 70's that those clandestine operatives were included in the overall count. Up to that time, there had been a secret list of such POW/MIAs. This bothered Kerry a great deal, and he can be certain to ask the Agency representative for more information.

7. Kerry asked about code breaking in Laos in 1968-1973. Witnesses declined to respond in open testimony and pointed to the absence of an NSA representative. This issue is certain to arise in the closed briefing. Senator Smith also asked specifically if there had been any operations into Laos in the period after 1973. Ford said he didn't know, and Smith was incredulous. Quinn said that he had recently learned from another witness [redacted] None of the witness had any personal knowledge of such operations. The Agency representative should be prepared to address this issue in detail.

8. Overall there was a very heavy emphasis on the Laotian situation throughout the Q and A period reflecting an apparent belief on the part of some Committee members that there is far less accountability for POW/MIAs in Laos and more evidence of their possible presence there after Operation Homecoming in 1973. Agency representatives should be prepared to deal especially with reporting on Laos and operational activity there related to POW/MIA matters.

[redacted]
Deputy Director for Senate Affairs
Office of Congressional Affairs

Attachment

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OCA 4821-91

SUBJECT: POW/MIA Committee Hearing on 15 November

OCA/Senate, [REDACTED] (18 Nov 91)

Distribution:

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SENATE SELECT COMMITTEE OF POW-MIA

Offices: 705 Senate Hart Office Building
Main Office Number: (202) 224-2038
Majority Staff Director Frances Zwenig: 202-224-2038
Minority Staff Director Al Ptak: 202-224-2306

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TESTIMONY AS PREPARED FOR DELIVERY

BY

PRINCIPAL DEPUTY ASSISTANT
SECRETARY OF DEFENSE

CARL W. FORD, JR.

BEFORE
THE SENATE SELECT COMMITTEE
ON POW/MIA AFFAIRS

NOVEMBER 15, 1991

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**TESTIMONY
AS PREPARED FOR DELIVERY
BEFORE THE SENATE SELECT COMMITTEE
ON POW/MIA AFFAIRS**

Carl W. Ford, Jr.

**Principal Deputy Assistant Secretary of Defense
(International Security Affairs)**

November 15, 1991

Mr. Chairman, Senator Smith, members of the Committee, I would like to thank you for the opportunity to return to comment on issues that have arisen during the three days of historic hearings that you convened last week on the POW/MIA issue.

First, I would like to clarify a point that came up in last Thursday's testimony concerning the "last known alive" discrepancy cases. The definition of a discrepancy case is:

A case about which the USG has convincing evidence that the Governments of Vietnam, Laos or Cambodia should have specific knowledge.

The term "discrepancy case" includes not only individuals who were "last known alive, but also individuals who were known dead, but for whom the Indochinese Governments should be able to provide information or remains. As you can see, the definition is broad. Within this broad definition, we have identified three subcategories of cases. We did this because over the years a great deal of confusion has developed over what

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precisely we were talking about--the terms "discrepancy case," "compelling case," "last known alive case," "Vessey case," all meant different things to different people.

The three subcategories of discrepancy cases are:

LAST KNOWN ALIVE: Those cases in which the US has information that the individual survived the loss incident and fell into enemy hands. In the case of air incidents, this includes cases in which the crew members are believed to have successfully exited their aircraft and to have been alive on the ground. In the case of ground incidents, this includes cases in which the individuals were last known alive, were not gravely wounded, and were in proximity to enemy forces who should have specific knowledge of the incident.

POW AT HOMECOMING: A specific group of individuals who, during the Vietnam War, were classified by their commanding officers and Service Secretaries as POWs but did not return during Operation Homecoming. These cases are also known to many families as "last known alive" due to their POW status. There were 97 individuals so listed. Subsequently, 42 "listed POWs" have been accounted for through unilateral SRV repatriation. The remainder are still unaccounted for.

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~~SECRET~~**KNOWLEDGE OF THE INCIDENT:**

Circumstances of loss or subsequent information is convincing that Vietnam, Laos or Cambodia should have knowledge of the incident. In some of these cases, there is convincing evidence that the individual did not survive the incident of loss. In many cases, there is convincing evidence that Vietnam also has remains.

With this background, now I will shift to the 119 individuals who have been discussed in the testimony here, called variously "Vessey cases" and the "Vessey discrepancy cases." The first point to make is that, from the beginning, the list was not meant to be all-encompassing. In 1988, DIA, JCRC, General Vessey and the Office of the Secretary of Defense worked together to develop a list of most compelling last known alive cases, as well as other discrepancy cases, i.e., cases of individuals for whom the Vietnamese should have knowledge of the fate of the individual and remains if the individual is dead. *The list was not exhaustive, merely illustrative.* The primary purpose was to shed light on the live prisoner issue by asking the Vietnamese to help us solve cases in which there was either hard evidence or a strong possibility that the individual survived the incident of loss, but did not return at Operation Homecoming, and for whom, as of 1987, there had been no accounting. So far, despite our investigative efforts, we have not returned any live Americans or uncovered proof that unaccounted for Americans are alive in Vietnam.

There are additional cases, beyond the 119 individuals, which fit into the discrepancy case definition. Again, not all of the "Vessey" discrepancy

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cases involve individuals who were last known alive. Some of them involve individuals who are known dead—but the Vietnamese should be able to provide information or remains.

In addition to the 119 individuals whose cases were presented to the Vietnamese by General Vessey, we determined that there are 64 other individuals who meet the "last known alive" definition as well as 13 individuals who were classified by their respective Service Secretary as a POW at Operation Homecoming in 1973, and who are not included in the "Vessey" cases who are otherwise not accounted for. This group of cases will be the focus of the full time efforts of the Hanoi Office under the USCINCPAC Joint Task Force earlier described to this committee by General Christmas. They will all be investigated within Phase I of the USCINCPAC plan.

DIA as Family Outreach Organization

Next, I would like to address an issue that has been implicit in the testimony you have heard from many family members regarding DIA. The issue of family members and DIA analysts meeting directly to discuss individual cases has proved problematic. DIA is an intelligence collection and analysis agency. Their personnel are not trained for family outreach and the function of family outreach is not an appropriate one for that agency. The families' primary point of contact for discussion of their cases is the designated Service Casualty Affairs Office. Those offices are staffed with personnel trained to perform the family outreach role. In the case where a

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family is dissatisfied with the service received from the Service Casualty Affairs Office, the proper place to redress that problem is with my office.

The problems experienced within DIA that resulted in the changes made by the Secretary's Management Inquiry related to functions assumed by the PW-MIA Office that were not within their mission. Those functions have been removed and placed within my office.

Allegations by Dr. O'Grady

We certainly understand the grief felt by Dr. O'Grady over her family's loss. We have reviewed the O'Grady case file and we believe that Dr. O'Grady's family has been properly served by our casualty affairs process. The O'Grady case is one in which we believe that the family has been promptly and accurately notified about investigative activity and information relating to the case.

Dr. O'Grady's sweeping allegations of Government nonfeasance, malfeasance and misfeasance are without factual basis. For example, Dr. O'Grady states that her family was advised from the time that her father became missing that he was dead. That statement is quite simply wrong. From immediately after his incident of loss, the Air Force believed there was a good possibility he survived. He was seen to eject from his aircraft. He was seen with a good parachute, and his chute was seen on the ground, but he was not in it. All indications were that he survived his ejection.

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Colonel O'Grady was carried in a missing in action status until 1977 when his status was reviewed, at the express request of his wife, and his status changed to deceased and a Presumptive Finding of Death was entered in his case.

A second, most serious allegation was made by Dr. O'Grady which requires discussion. She alleged in her testimony that "identifications were made with teeth and teeth fragments but when independent forensic anthropologists were consulted, there were no dental records to be compared to. Again, this is absolutely false. There has never been a dental identification rendered by the U. S. Army Central Identification Laboratory without benefit of dental records. In every case, either a ante-mortem dental X-ray or a dental chart was available to provide the factual predicate for the dental identification. No other forensic laboratory in the world has as many independent procedural safeguards as has the Central Identification Laboratory. Should you have any further questions on this point, I have the Commander, U.S. Army Central Identification Laboratory available to respond.

I have a detailed written response to the other allegations made by Dr. O'Grady in her testimony that I would like to submit for the record.

Robertson, Stevens and Lundy Response

As dissatisfied with the Department's performance as the families clearly are, the Department of Defense has vigorously pursued the

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investigation of the photo. I have personally made myself available to the families to answer their questions and respond to their concerns, as has my staff and the Director of the DIA Special Office for POW/MIA Affairs. We have been unable to either confirm or disprove the identifications of the subjects of the photo made by the family members. We are continuing to investigate the photograph. Any intimation by the families that there has been less than an honest effort to investigate and locate the source of the photo is disingenuous. The facts establish otherwise. We have requested assistance from the Vietnamese at the highest levels of Government. We have sent three separate investigative teams to Cambodia to follow-up information and attempt to locate the source of the photograph. We have requested all of our Defense Attaches, world-wide to search for the photo in Eastern-bloc magazines. We have tasked national technical means to obtain information on reports associated with the photographs and have established all-source collection requirements to obtain additional information about the photo, the individuals or the associated reporting. We are continuing to investigate vigorously, however, without some new leads, we may not be able to solve the mystery of this photo.

Finally, and this is an important point, Colonel Robertson's case is not closed. It is still under active investigation and any preliminary judgements made have been set aside pending further investigative activity and information.

I would like to submit a brief written response to the specific allegations contained within the testimony of the families for the record.

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Donohue Allegations

Mr. Donohue stated in previous testimony that he has information about his brother, Captain Morgan Donohue, lost in Laos on 13 December 1968, and relates the fact that the presence in intelligence reporting of his father's zip code is proof that his brother is still alive in Laos, because only his brother could know the postal zip code of his father. In fact, the postal zip code of Major Donohue's father was contained within a widely circulated flyer that the family prepared and distributed throughout Southeast Asia. It is not unusual that information contained in such flyers later shows up in intelligence reports about American POWs.

Lost Records

There have been allegations made that fingerprint and other records have "mysteriously" disappeared from DoD files. There is no conspiracy to purge records. The Department of Defense does not maintain fingerprint records. The FBI is the sole agency with that responsibility. I request that this letter, from FBI Director Sessions to Congressman Solarz explaining "lost" or purged fingerprint records be entered in the record.

To prevent a recurrence of this problem in the future, I have tasked the Service Secretaries to examine possible alternatives to establish a redundant, independent source for military fingerprints separate from the FBI records. I will report to the Committee and to the families when we have implemented a solution to this problem.

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Senate Foreign Relations Committee Minority Staff Report

Mr. Chairman, Mr. Tracy Usry of the Senate Foreign Relations Committee Minority staff came before this Committee to defend the minority staff report, An Examination of U. S. Policy Toward POW/MIAs, authored in large measure by himself. That report is replete with factual errors. I would like to take just a moment to discuss a few of the most glaring examples of poor research and error.

On page 5-8 of the Report, the staff states:

"In fact, only 591 U.S. POWs were repatriated by the North Vietnamese during Operation HOMECOMING, which is 12% of the figure of 5,000 U.S. POWs held by the North Vietnamese reported by the *New York Times*.

The original New York Times article, the primary source material, appeared on the front page of the 6 March 1973 issue. The number "5,000" appeared only once in the entire article—quoting an American source who stated at a meeting of the Joint Military Commission the previous day, North Vietnam had demanded the release of 5,000 Communist prisoners held by Saigon.

This 5,000 number cited incorrectly in the report has been oft-quoted by POW activists and is used within the report to lend

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credence to the allegation that 85 % of American prisoners of war were withheld by Hanoi after Operation Homecoming.

A second glaring inaccuracy is found in the Prologue to Part II, page i. The report states:

"In spite of 1,400 unresolved reports of first hand live-sightings, the Department of Defense, remarkably, still believes it has "no credible evidence." How does it dismiss these reports?

In fact, there are numerous inaccuracies in just that simple statement. First, while there have been cumulatively over 1,400 first-hand live sighting reports, only approximately 100 are unresolved. Second, live-sighting reports have not been dismissed. In over 75 percent of the first-hand live sightings received, DIA analysts have been able to establish that the report is true. These reports involve POWs who returned at Operation Homecoming, or have been correlated to other Americans or Westerners, such as missionaries or individuals stranded in South Vietnam when the Communists took control. Almost three hundred relate to Private Garwood, who returned from Vietnam in 1979.

There are numerous other factual inaccuracies throughout the report. To catalogue the inaccuracies would require a document of equal length and would be beyond the scope of my testimony here today. Further, to do so would require diverting manpower from

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more important tasks related to the function of investigating POW/MIA cases.

A more important issue that this Committee should address of Mr. Usry is why he and other staff members of the Senate Foreign Relations Committee staff have withheld from the Department of Defense information relevant to the investigation of the Stevens case and the Borah case. Not only has Mr. Usry withheld information that would have assisted the Department of Defense in more expeditiously investigating these cases, but he has stood by while Senate staff members directed sources not to provide their information to members of my staff, the DIA, or others within the Department of Defense investigating these cases.

I am personally outraged by the obstruction that Mr. Usry has presented to the DoD investigations of these cases. That any American would withhold relevant information or otherwise not cooperate with an on-going DoD POW/MIA investigation is shocking and should not be tolerated by you—his employers—the Members of the United States Senate. The families of the two individuals deserve better treatment than that.

Mr. Chairman, I hope that you will question Mr. Usry about how long he had the Borah information before July 1991. When the Department of Defense finally received the information, we resolved the case in less than 2 months.

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Response to Judge Gayden's Allegations

The Borah and Carr families have been the losers as a result of the allegations made by a number of individuals before this Committee. Family confidence in their Government has been further eroded by the unsubstantiated and specious claims of Government conspiracy. Mr. Sheetz will later discuss the Carr case in detail, however, I would like to spend a moment on the Borah case and the allegations made by Judge Gayden before this Committee.

Judge Gayden's allegation that the Department of Defense would knowingly provide to the family, the Congress and the American people altered photographs of the meeting between our investigator, Bill Gadoury, and the individual is ludicrous. Even more disturbing is the fact that Judge Gayden, an officer of a court, would allege that he had obtained a photo analysis of the photos of the meeting and then assert that the DoD photos are frauds. This Committee can not stand by and let these gross distortions of fact go unnoticed. If Judge Gayden's photo experts believe the DoD photos are a fraud, he should produce their reports, or their testimony, or an affidavit or other suitable evidence.

Our investigators, with the help of the Lao, found the individual photographed in Laos and identified as Lieutenant Borah. The individual is not Lieutenant Borah. The Borah family has been convinced by Judge Gayden's bailiff, Khambang Sibounheuang, that the individual is Lieutenant Borah, and Khambang has accompanied the two Borah sons to Laos. Khambang's blood relative in Laos passed the roll of film containing

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the Borah photos to Khambang in the United States. Khambang has a long history of providing POW related materials, from as early as 1985; and none-- not one-- of his leads has ever proven valid.

I have a fact sheet on Khambang that I would request be entered into the record. The Judge Gayden/Khambang connection needs to be thoroughly investigated. I hope that this Committee will undertake that task.

Bailey Cooperation

Finally, I would like to clarify a point raised by Lieutenant Colonel Bailey in his testimony. Lieutenant Colonel Bailey suggested that the Secretary of Defense may have misspoken in his testimony before this Committee. Lieutenant Colonel Bailey suggested that the Secretary was mistaken in his recitation of what Bailey agreed to provide to the Department of Defense in Thailand and that he was further mistaken in attributing to Bailey a comment that the "Carr" photograph "may have been" taken in Thailand or Burma. I would like to make clear for the record that the Secretary of Defense did not misspeak nor was he mistaken in any of the testimony he provided to this committee relative to Lieutenant Colonel Bailey.

Bailey's promises of cooperation were made to the Secretary of Defense in the presence of myself, and Congressmen McCloskey and Visclosky in the Secretary's office. The Secretary's testimony correctly reflected who and

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what Bailey stated he would make available to our investigators. It also correctly reflected what Bailey told our investigators in Bangkok about where the photograph may have been taken. We have a chronology of our conversations with Bailey which I would like to make a part of the record. I have with me the individuals who were involved in the Carr investigation with Colonel Bailey and who will provide you the facts about their investigation. Mr. Bob Sheetz, the Chief of the Special Office for POW/MIA Affairs will address the specifics of the conduct of the Carr investigation of which Bailey was a part.

Thank you Mr. Chairman and Senator Smith. I am prepared now to respond to your questions.

12 NOV 1985

MEMORANDUM FOR: National Foreign Intelligence Board

SUBJECT: Interagency Committee on Vietnam MIA's/POW's

1. I hereby establish an Interagency Committee on Vietnam MIA's/POW's under the chairmanship of Brigadier General James Shufelt (DIA). The purpose of the Committee is to exhaust all intelligence within the Community regarding the location and identification of Americans who might be held or interned in Southeast Asia.

2. I request that the appropriate NFIB agencies nominate representatives to serve on the Committee under Brigadier General Shufelt's chairmanship. Representatives will also be responsible for ensuring that any intelligence information presently held within the Intelligence Community is proffered to the Committee.

3. I am asking Lieutenant General Leonard Perroots, Director of the Defense Intelligence Agency, to oversee this activity on my behalf.

/s/ William J. Casey

William J. Casey

Distribution:

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1 - DCI Chrono
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MEMORANDUM OF UNDERSTANDING

between the

DEFENSE INTELLIGENCE AGENCY (DIA)

and the

CENTRAL INTELLIGENCE AGENCY (CIA)

NATIONAL SECURITY AGENCY (NSA)

FEDERAL BUREAU OF INVESTIGATION (FBI)

DEPARTMENT OF STATE

OFFICE OF THE SECRETARY OF DEFENSE

SERVICE INTELLIGENCE REPRESENTATIVES

on

PARTICIPATION AT INTERAGENCY COMMITTEE ON INDOCHINA PW/MIAS MEETINGS

A. PURPOSE

This memorandum of understanding clarifies the roles and responsibilities of each organization during participation in Interagency Committee on Indochina PW/MIAs meetings on the collection, oversight and coordination of intelligence relating to American servicemen and civilians who remain unaccounted for as a result of the war in Indochina (1961-1975).

B. BACKGROUND

Resolution of the PW/MIA issue is a matter of personal interest to the President of the United States, who has pledged that it is a matter of the highest national priority within his Administration. In implementation of this priority the purpose of the committee will be to formulate, coordinate, and manage new collection initiatives to ensure that all intelligence disciplines are sensitized to the issue. It will provide a clearing house for the exchange of PW intelligence and a forum for the discussion and resolution of related collection problems and requirements. The committee will make aggressive use of appropriate resources of specialized components of the intelligence community to identify, augment or supplement, confirm, or otherwise qualify intelligence information relating to U.S. PW/MIAs.

C. ARTICLES OF AGREEMENT

1. DIA shall provide the chairmanship and staff and administrative support for the committee.

2. The committee shall be comprised of one principal general-flag officer or equivalent civilian level representative of the following U.S. Government components: Defense Intelligence Agency (DIA), Central

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Intelligence Agency (CIA), National Security Agency (NSA), Federal Bureau of Investigation (FBI), Department of State, Office of the Secretary of Defense (OSD), and Service Intelligence representatives. The DIA representative at the committee meetings will also be the principal Joint Chiefs of Staff representative. All members and other attendees shall have TOP SECRET and SI/TK clearances.


3. Responsibilities of member representatives pertaining to the collection of PW/MIA related intelligence shall be consistent with the charter of the parent Department, Agency or Bureau.

4. The committee shall meet at the call of the Chairman but not less than quarterly.

D. IMPLEMENTATION AND TERMINATION

This memorandum of understanding shall become binding and enter into force upon signature by all parties. It shall remain in effect until revised or terminated and will be reviewed annually.



 JAMES W. SHUFELT, BG, USA
 Deputy Director for Operations,
 Plans and Training
 Defense Intelligence Agency


 Deputy Chief, Policy and
 Coordination Staff
 Central Intelligence Agency

Date: 28 Mar 86

Date: 3/28/86


 Chief, Operations Directorate B5
 National Security Agency

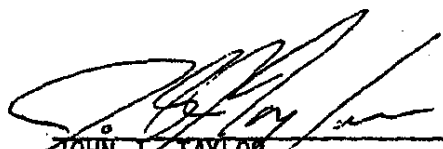

 JAMES H. GEER
 Assistant Director, Intelligence
 Division
 Federal Bureau of Investigation

Date: 28 Mar 86

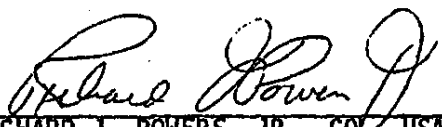
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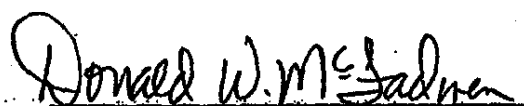
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 JOHN J. TAYLOR
 Deputy Assistant Secretary for
 Coordination
 Bureau of Intelligence & Research
 Department of State


Date: April 17, 1986


 RICHARD J. POWERS, JR., COL, USA
 Director, Intelligence Systems
 Office of the Assistant Chief of
 Staff Army Intelligence
 Department of the Army

Date: 28 March 1986



 DONALD W. MCFADYEN, Colonel, USAF
 Director, Joint Services Support
 Directorate
 Department of the Air Force

Date: 28 MAR 86


 E.B. BAKER, JR., RADM, USN
 Director, East Asia & Pacific Region
 Office of the Assistant Secretary of
 Defense for International Security Affairs
 Department of Defense

Date: 2 APR 1986

Date: 24 April 86


 F. J. BRETH, Brig Gen, USMC
 Director of Intelligence
 Headquarters
 United States Marine Corps

Date: 3 April 86

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SENATE SELECT COMMITTEE OF POW-MIA

Offices: 705 Senate Hart Office Building
Main Office Number: (202) 224-2038
Majority Staff Director Frances Zwenig: 202-224-2038
Minority Staff Director Al Ptak: 202-224-2306

MAJORITY:

Chairman John Kerry (D-MA)

Thomas Daschle (D-SD)
Harry Reid (D-NV)
Charles Robb (D-VA)
Robert Kerry (D-NB)
Herb Kohl (D-WS)

MINORITY:

Vice Chairman Robert
Smith (R-NH)

John McCain (R-AZ)
Jesse Helms (R-NC)
Nancy Kassebaum (R-KS)
Charles Grassley (R-IA)
Hank Brown (R-CO)

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1. Senator Kerry, Senator Smith, it is a privilege for me to appear here today. We all recognize the importance of your endeavor and I am here to emphasize the commitment of NSA to supportg your efforts. For years, NSA has been actively involved on this issue primarily with the Defense Intelligence Agency, but also with individual Congressman and Congressional Committees. As we have done with these organizations in the past, we will make available to you all the data that can assist you in your investigation.

2. To ensure we would be prepared to be responsive to the committee we have again conducted a comprehensive review of SIGINT holdings for the period 1965 to the present. This review included:

a. manually scanning all SIGINT material which might contain any reference to POW/MIAs during or after the war.

b. interviewing selected analysts and managers who served at NSA Headquarters or in the field,

c. reconstructing and evaluating the SIGINT process used during the war.

Additionally, we attempted to uncover any material which might be related to recent allegations and to review any new information that has come to light since our last complete review in 1987.

3. I would like to take a few minutes and explain how NSA has conducted its business in regard to the POW/MIA task. During the Vietnam War, our ability to access the communications of Southeast Asian

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Communist Forces was very good. Over seventy (70) ground-based collection sites, no fewer than twelve (12) types of airborne collection platforms, and numerous shipborne collectors worked 24-hours a day against the full range of target communications. Thousands of people, primarily uniformed military personnel, were involved in this massive signals intelligence effort. The SIGINT system had an excellent capability to collect information on aircraft shootdowns and on downed fliers. We intercepted information that some crew members did not survive the shootdown. In other cases, we were able to detect initial capture and subsequent movement of prisoners by the capturing unit to either a holding location or to a place designated as a camp. We were aware of the existence of more permanent prison camps from non-SIGINT sources, but in spite of our vast collection resources, we never heard any communications emanating from these camps.

4. The enormous amount of data collection during the war had to be processed manually. Because of this we did not always process everything, but we did process everything related to downed fliers or captured Americans. This was our highest priority mission. Intercept operators were trained to recognize critical information, and were instructed to notify supervisors immediately when information on downed fliers or captured servicemen was intercepted. This information was processed immediately and reported in the most expeditious manner to tactical units to aid in search and rescue operations.

5. Our information can be divided into two categories. We have a total of 1530 "incident" reports which are based on military

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communications and relate to specific losses. We have approximately 500 "non-incident" reports which are associated with the general topic of POW/MIAs. We reported both tactical and strategic information. Tactical reporting included information on such subjects as shootdowns of aircraft and locations of enemy forces. A special reporting series, called SONGBIRD Reports, was established for information pertaining to prisoners, prisoner locations, movement of prisoners, shootdown of aircraft, or any other information relating to the fate of U.S. servicemen. Strategic reporting included such activities as North Vietnamese infiltration and resupply. This information came from communications serving the network of roads, transportation units, and rest stops known as the Ho Chi Minh Trail and from communications serving military elements in Northern Vietnam.

6. We understand that the committee is especially concerned about the fate of American MIAs captured in Laos. Laotian codes were broken during the war and the communications of Pathet Lao Headquarters were intercepted. Regretably, while we had voluminous intercept of Laotian communications, they do not provide any new information on the fate of our men lost in Laos.

7. Also, no SIGINT evidence is available to either confirm or deny allegations of [redacted] involvement with American POWs. NSA has completed a review of pertinent [redacted] material. As with our study of Vietnamese communications, there is no evidence to indicate that [redacted] involved POWs. Our search of [redacted] communications that may be related to the POW/MIA issue continues, but

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as with our efforts in researching Vietnamese communications, we have yet to find any SIGINT evidence of [REDACTED]

8. NSA currently holds approximately 2000 SIGINT reports, dating from 1965 to the present, relating to the loss, capture, and status of U.S. personnel in Southeast Asia. To illustrate the challenge of following individual POWs, of all the POW/MIA related incidents reported in SIGINT during the war, less than 100 names of captured Americans are contained in our reporting. The majority of these people were subsequently accounted for. All of this information was reported in our normal system and made available during previous investigations. Let me emphasize however, that none of our data contains evidence that American service personnel remain in Vietnam today or were left behind after Operation HOMECOMING.

9. We spent many years after the war searching for communications that could reveal evidence that U.S. personnel were held in Vietnam but were not successful. The only collection, reflecting POW/MIA matters we

[REDACTED]

[REDACTED] general

POW/MIA issues.

On the question of releasing intelligence data, there are good reasons why even after 20-25 years, some intelligence information relating to POW/MIAs is, and should remain, classified. For example, similar sources and methods are used today by NSA against other targets, particularly [REDACTED]. Moreover, some of these sources and methods are associated directly with [REDACTED]

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We recognize the concerns of POW/MIA families, and we want to explore methods for them to gain access to data associated with their kin while at the same time protecting our sources and methods. I would like to caution everyone, however, that what we hold as described above only applies to a very few families and even that involves not more than one or two SIGINT reports per family.

On the other hand, for you and/or your cleared staff, we stand ready to show our entire SIGINT POW/MIA-related reports and to help interpret them as necessary for you and respond to any of your questions.

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QUESTION: Please explain why it is necessary to protect the sources of information on POW's and MIA's.

ANSWER: In the intelligence collection process, whether it be on POW's and MIA's or other requirements, we have a statutory responsibility under the National Security Act of 1947 and E.O. 12356 to protect the source of the information, the place and manner in which it was acquired, any foreign intelligence service involvement, references to other operational activity and administrative details such as cryptonyms, field report numbers, source and field comments.

If we were unable to guarantee this protection, it would impact on our ability to collect intelligence. Other sources would be wary of cooperating with us if information were released which pinpoints its origin without consideration of the effect this information might have on the source, and his heirs, survivors or colleagues. It is important to understand that in many cases, especially with regard to information

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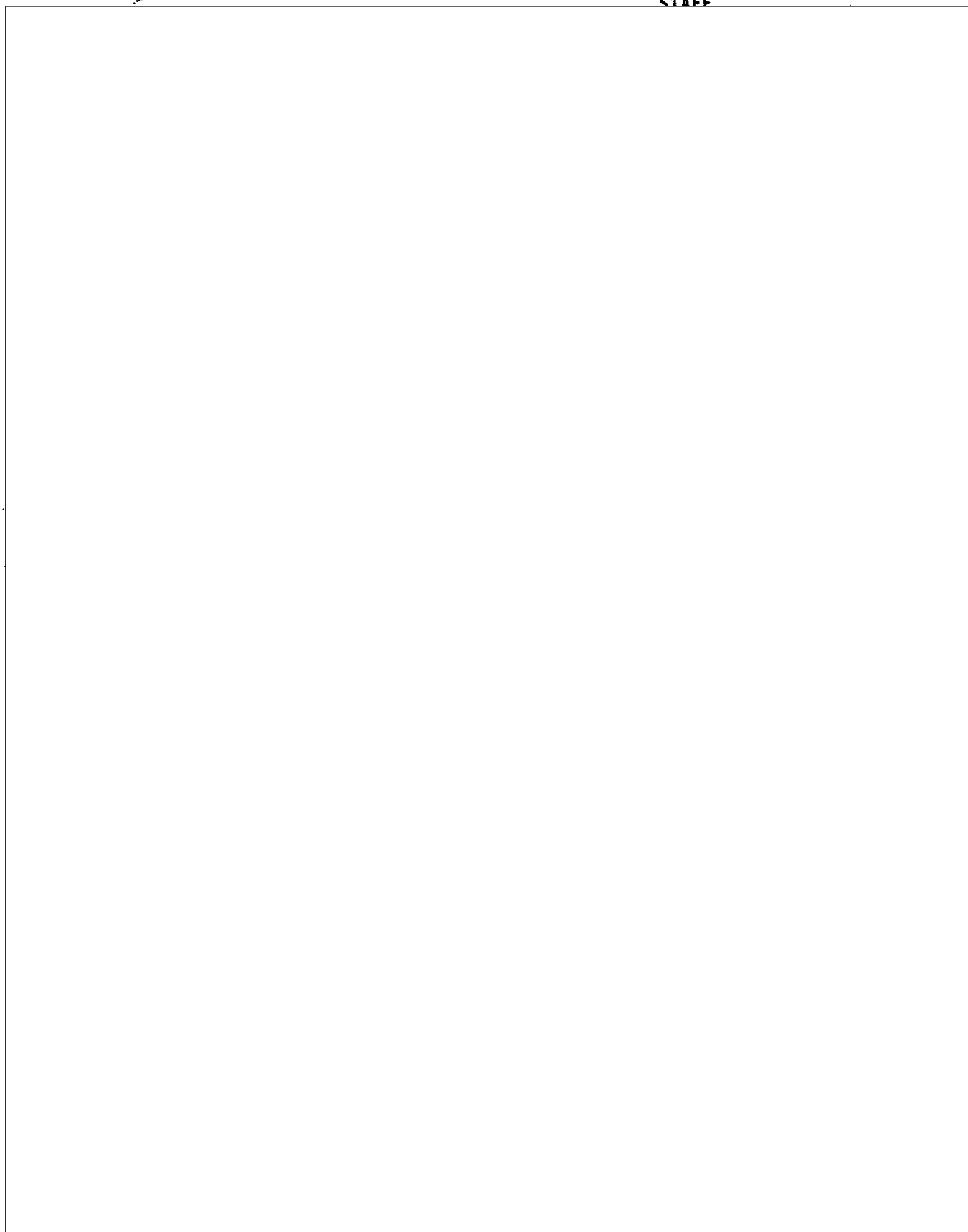
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SPOT REPORT

6 DECEMBER 1991

UPDATE ON PW-MIA ACTIVITIES

1. FILES AT DIA: A total of 496 "live-sighting" files in the Prisoner of War-Missing in Action (PW-MIA) Task Force for Intelligence Data Release have been reviewed and sanitized at the Pentagon.

The files reviewed were from the 1,500 live-sighting files of which only 496 contained Agency reporting. The agreed-upon Inter-Agency guidelines were used in deleting identification of sources, names of Agency personnel, place acquired, liaison involvement, and methods of acquisition. DIA PW-MIA appreciated our Agency's cooperation and [redacted] effort is particularly noteworthy.

2. Response to the Committee's letter: During ADDO'S 4 December one-on-one with DCEA, the wording of the response letter to the Committee was raised. You should be receiving the draft of this letter [redacted] which in-part reads "It has been agency practice to provide all information on PW-MIA's to DIA and this information should be available in their files. In response to your request, we are undertaking a review of all files held by the Agency which bear on this issue to ensure that all pertinent data has been passed to DIA."

3. PW-MIA: This component is being formed with [redacted] Chief to review our files on PW-MIA's and ensure that all the reporting on this issue has been forwarded to DIA. All archived files on the subject are being retrieved and will be reviewed. We will also look at substantive issues such as programs in Laos, Vietnam and Cambodia associated with our operational and collection activities on PW-MIA's. [redacted] will be assisted by [redacted] we have discussed with [redacted] the need for additional funding for [redacted] to assist with this project. [redacted] will provide administrative assistance as required and [redacted] are working on locating office space for the group. We are receiving excellent cooperation from all concerned and [redacted] has been particularly helpful with several aspects of the program.

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4. The KGB Connection: [redacted] met with former KGB General Oleg Kalugin on 29 November to discuss PW-MIA issues. Kalugin made it clear he was not intimately familiar with the subject and those statements he did make were not supported by facts. See the attached cable for further details. Also attached is a 1982 CIA report [redacted]

[redacted] heard from KGB General Grigoriyev that 2,000 POW's from the Vietnam war had been incarcerated in the Soviet Union for "ideological retraining." [redacted] comment was included in this report which in part said that CIA records contain no information that Grigoriyev held a leading position in the KGB and that the report merits little if any credence from analysts.

5. Call to Security Duty Officer on Alleged POW's: The PW-MIA Office at the Pentagon is investigating the call made to our Security Duty Officer on 2 December by an alleged Navy Seal reporting a sighting of MIA's in Cambodia [redacted]

[redacted] talked with anyone on this subject as claimed in the report and DIA PW-MIA has not been able to identify the individual who claimed to be [redacted]. They are going to follow this up with the Seal Team in Coronado, California, and will advise when further details are obtained.

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DIRECTORATE OF
OPERATIONS

Foreign Intelligence Information Report

FURTHER DISSEMINATION AND USE OF THIS INFORMATION SUBJECT TO CONTROLS
STATED AT BEGINNING AND END OF REPORT

PAGE 1 OF 4 PAGES

REPORT CLASS. ~~C O N F I D E N T I A L~~ --WNINTEL-- REPORT NO. [REDACTED]

COUNTRY USSR

DATE DISTR. 12 March 1982

SUBJECT Alleged Soviet Incarceration of
U.S. Vietnam Prisoners of War
(DOI: 1970)

REFERENCES [REDACTED]

SOURCE [REDACTED]

SUMMARY: According to KGB Lieutenant General Petr Ivanovich Grigoriyev, specially selected U.S. prisoners of war were being received into the Soviet Union circa 1970 for long term or lifetime incarceration and "ideological retraining." He implied the number involved to be about 2,000. The goal of the program was indefinite, but involved intensive psychological investigation of the prisoners and retraining to make them available as required to serve the needs of the Soviet Union. Grigoriyev made the comment: [REDACTED]

1. [REDACTED]
caution.

Comment: This report should be read with

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the USSR, much less that 2,000 such individuals are leading "reasonably normal lives" in the same region where numerous Soviet political prisoners have resided in exile.

from analysts.

However, in light of continuing high interest in the question of U.S. personnel still listed as missing in action in Southeast Asia, this report is being disseminated with appropriate caveats to concerned members of the U.S. Intelligence Community.)

2. [redacted] which was held circa 1970, KGB Lieutenant General Petr Ivanovich ((Grigoriyev)) stated that many specially selected U.S. prisoners of war were being received from North Vietnam for long term or lifetime custody and "ideological re-training" in the Soviet Union. [redacted] Grigoriyev did not state specifically the number involved. The term he used was "v poriyadke neskol'kikh tysyach v nas tozhe yest'" which translates as "on the order of several thousand," implying the number to be about 2,000). The prisoners were destined for confinement at a facility near Perm. Grigoriyev, who learned of the program from an unnamed high level KGB colleague, understood that Soviets rather than North Vietnamese were involved in the initial selection process and that participants were to be continually assessed for suitability. He implied that individuals determined to be unsuitable would be eliminated and replaced with other candidates. [redacted] Grigoriyev made his comment while serving as a personnel officer at the All-Union Scientific-Technical Information Center of the State Committee for Science and Technology in Moscow. He had previously served as Chief of the KGB's Personnel Directorate and in that capacity would have very likely made contacts among KGB officials subsequently responsible for organizing any such prisoner program.)

3. According to Grigoriyev, the goals of the U.S. prisoner program were indefinite but involved intensive psychological studies of the individuals and utilization of them as required to serve the needs of the Soviet Union. Grigoriyev understood that the detention facility was not a standard prison, but rather one in which inmates could lead reasonably normal lives. [redacted] Grigoriyev recalled that precedents existed for such a program in the Soviet Union and cited similar previous efforts with Spanish, Japanese, and Chinese nationals. He stated that in past programs, participants were encouraged to marry Soviet women.

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[REDACTED]

4.

5. Grigoriyev volunteered the information regarding the Vietnam prisoners [REDACTED] during the late 1960's and early 1970's [REDACTED] demanding after his years as an administrator in the KGB. He was often finished with his work in the early afternoon and, rather than go home or engaged in outside interests, held informal discussions in his office.

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6. Grigoriyev was trained as a professional military officer and served in the tank troops during World War II. After the war he was assigned to the Party Central Committee as an army representative. In the period 1953-1954 he became KGB Deputy Chief for Personnel. He subsequently became critical of the recruitment policies of KGB head Vladimir Yefimovich ((Semichastnyy)) and was transferred from his position to that of KGB Security Chief for Soviet Bloc nations. Soon thereafter he developed a heart ailment and retired. In the late 1960's he accepted the position at the Information Center.

7. General Skrynnik joined the Russian cavalry in 1917 and subsequently entered the Odessa artillery school. Upon graduation he was assigned to the Zhitomir military district. In 1931 he entered the Frunze Military Academy. He advanced rapidly and in the 1933-1934 period was sent to China as Deputy Military Attache. He joined Mao's long march and began to establish intelligence agent networks for the Soviet Union. He remained in China until 1942 except for a brief return in 1939 to establish an intelligence school in Moscow for China operations. In the spring of 1942 he was recalled from China to become chief of intelligence on the northwestern front, where he remained for the duration of the war. After the war he was assigned as Soviet representative to the Berlin Joint Commission for Repatriation. After serving in Berlin from 1945 to 1949 he returned to Moscow as either chief or deputy chief for intelligence at the Frunze Academy. He then served as Deputy Intelligence Chief of the Far Eastern Military District. He retired from the military in 1953. Skrynnik was subsequently recalled to duty to re-establish agent networks in China after the China-USSR split but refused to leave retirement.

[REDACTED]

REPORT CLASS ~~CONFIDENTIAL~~

[REDACTED]

PORTIONS CARRY CLASSIFICATION AND CONTROLS OF OVERALL DOCUMENT.

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